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7 *Interim Co-Lead Consumer Class Counsel*

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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

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14 MAXIMILIAN KLEIN, et al.,
15 Plaintiffs,
16 vs.
17 META PLATFORMS, INC.,
18 Defendant.

19 Consolidated Case No. 3:20-cv-08570-JD
20 The Hon. James Donato

21 **DECLARATION OF STEPHEN A.
22 SWEDLOW REGARDING MEET-AND-
23 CONFER PURSUANT TO COURT
24 ORDER DATED MAY 23, 2022**

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1 I, Stephen A. Swedlow, declare and state as follows:

2 1. I am an attorney at law duly admitted to practice before the courts of the State of
3 Illinois and admitted *pro hac vice* in this case. I am a Partner with the law firm of Quinn Emanuel
4 Urquhart & Sullivan, LLP, and Interim Co-Lead Counsel for the Consumer Class. I have personal
5 knowledge of the statements set forth in this Declaration.

6 2. I make this Declaration pursuant to the Court's May 23, 2022 Order (the "Order"),
7 Dkt. 301, directing lead counsel for the parties to meet-and-confer by June 10, 2022 to resolve their
8 disputes regarding: (1) Advertiser Plaintiffs' letter brief regarding Facebook presentations made to
9 the Federal Trade Commission and the United States House of Representatives (Dkt. 281); (2)
10 Consumer Plaintiffs' letter brief regarding subpoenas to and communications with non-parties (Dkt.
11 282); (3) Consumer Plaintiffs' letter brief regarding Facebook's document custodians (Dkt. 294);
12 and (4) Consumer Plaintiffs' letter brief regarding the App Developer Investigation ("ADI")
13 materials that Facebook has already produced in the Cambridge Analytica MDL (Dkt. 298). I
14 hereby attest to compliance with the Court's Order.

15 3. On May 27, 2022, I met and conferred with Interim Co-Lead Counsel for the
16 Consumer Class Shana E. Scarlett, Interim Co-Lead Counsel for the Advertiser Class Yavar Bathaei
17 and Kristen M. Anderson, Lead Counsel for Facebook Sonal N. Mehta and David Gringer, and other
18 counsel for the parties, regarding the above, four disputes. The conference lasted more than four
19 hours.

20 4. At the time of the conference, I was not located within 100 miles of any other lead
21 counsel and therefore participated via videoconference.

22 5. After more than four hours at the mandated lead counsel conference, Consumer
23 Plaintiffs and Facebook were unable to resolve their three disputes: (1) subpoenas to and
24 communications with non-parties (Dkt. 282); (2) Facebook's document custodians (Dkt. 294); and
25 (3) ADI materials that Facebook has already produced in the Cambridge Analytica MDL (Dkt. 298).

26 6. Consumer Plaintiffs and Facebook have since exchanged further correspondence and
27 written proposals.

7. Consumer Plaintiffs and Facebook have not fully resolved Dkt. 294. Consumer
Plaintiffs and Facebook have since reached agreement on part of the relief sought by Dkt. 294: the
number of document custodians (48) and their identities. As to the other relief sought by Dkt. 294,
Consumer Plaintiffs and Facebook will continue to discuss the running of the same search terms
across all 48 custodians as their search term negotiations continue, and Consumer Plaintiffs reserve
their rights to seek that relief.

8. Consumer Plaintiffs and Facebook have been unable to resolve their other two disputes: (1) subpoenas to and communications with non-parties (Dkt. 282); and (2) ADI materials that Facebook has already produced in the Cambridge Analytica MDL (Dkt. 298).

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

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Executed this 17th day of June, 2022, in Chicago, Illinois.

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/s/ Stephen A. Swedlow

Stephen A. Swedlow

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 17th day of June 2022, I electronically transmitted the foregoing
3 document to the Clerk's Office using the CM/ECF System, causing the document to be
4 electronically served on all attorneys of record.

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6 Dated: June 17, 2022

By: /s/ Stephen A. Swedlow
7 Stephen A. Swedlow

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